



**RULES OF THE JUDICIAL
MERIT SYSTEM
OF THE SUPERIOR COURT IN
YUMA COUNTY**



APPENDIX B

SUPERIOR COURT IN YUMA COUNTY

JUDICIAL COMPENSATION POLICY AND PROCEDURE

I. Purpose

The judicial pay plan provides for compensation schedules for the various job classifications in the classification plan adopted by the courts and court departments effective October 1, 2000 to ensure equal pay for equal work. Pay and compensation matters will be administered in accordance with the Judicial Compensation Policy and Procedure. This policy applies to all employees, including probationary, classified, unclassified, temporary, full or part time as applicable.

II. Authority

The Presiding Judge is the final authority for resolution of compensation issues. The Presiding Judge may change or amend the compensation policy and procedures as necessary. The Judicial Management Team will advise the Presiding Judge and make recommendations for periodic changes or adjustments of the basic pay plan due to factors such as comparable pay for similar positions within the county or state, the county's financial resources, the labor market and other relevant factors.

III. Pay Plan

The basic pay plan consists of numbered pay grades. Each classification in the classification plan will be assigned to a pay grade and the salary range for that grade will be established by steps within it.

IV. Entrance Salary

The entry salary for a position is step one (1) of the grade assigned to the position's classification. An Appointing Authority may appoint a new employee to any step between one (1) and five (5) of the grade assigned to the position if the applicant's education and experience justify it. An Appointing Authority may hire an applicant above step five (5) if warranted and approved by the Presiding Judge of the Superior Court. The Appointing Authority will submit a written justification to the Judicial

Management Team for review. The Judicial Management will make a recommendation to the Presiding Judge for final determination. No rate exceeding the maximum for the pay grade will be approved.

V. Temporary or On-Call Status Employee Pay Assignment

The pay rate of a temporary or on-call employee will normally be at the minimum of the pay grade for the assigned job class, whether for a new hire or an assignment change for a current employee. A rate above the minimum of the pay grade may be recommended at the discretion of the Appointing Authority and must be justified by the background, education or experience of the employee. The Appointing Authority will present in writing such justification to the Court HR Manager for review. The Court HR Manager will then forward the Appointing Authority's memo and a recommendation to the Presiding Judge who will decide whether the increased rate is appropriate. No rate exceeding the maximum for the pay grade will be approved.

VI. Re-entry to Court Service

An employee who is reinstated within (2) years of the date of separation is eligible for appointment to a grade and step that is equal to or less than the grade and step that the employee had attained prior to separation plus any adjustments made to the previous classification since their separation from court service, at the sole discretion of the Appointing Authority.

VII. Salary Adjustments

A. Promotion

The pay rate of an employee who is promoted may be increased to a rate of pay not to exceed ten (10%) percent above the employee's current rate of pay, or ten percent (10%) above the entry rate of the pay grade for the new classification. Any increase greater than the above will require the approval of the Presiding Judge. No rate exceeding the maximum for the new grade will be approved.

B. Unsatisfactory Promotional Probation Period

The pay rate of an employee who fails to satisfactorily complete a promotional probationary period and who is returned to the previous classification or another class of the same or lower pay grade, will be reduced to the pay rate received prior to the promotion and then increased by any annual or other rate increase occurring subsequent to the promotion which would have been applicable to the employee. The new rate must be within the pay grade of the new classification.

C. Transfer and/or Class Change

The pay rate of an employee who is reassigned or transferred to a position in the same Class, or to another Class on the same pay grade, will be at the same pay rate received prior to transfer or Class Change.

D. Demotion

The salary of employees who voluntarily request and agree to a demotion or who are demoted for disciplinary reasons may be reduced as follows:

1. If an employee is returned to a position which they formerly held or a similar position, the employee's salary may be reduced by the same amount as received on the promotion to the position.
2. If an employee is demoted to a position not previously held or to a lower pay grade, the Appointing Authority may reduce the employee's salary by an amount not to exceed ten percent (10%). Taking into consideration the number of pay grades between the two (2) classifications and salary equity issues of current employees in the lower classification, the Appointing Authority or Court Human Resources Manager may make a written request to the Presiding Judge asking for a greater reduction in the employee's salary. (Amended October 5, 2006 retroactive to March 1, 2002)
(Amended February 21, 2007)

E. Reclassification and/or Pay Grade Adjustment

When a position is reclassified or the pay grade of a classification is adjusted, the salary of the incumbent in the position may be adjusted as follows:

1. For a position assigned to a higher pay grade, the employee may be placed in the same step in the new grade. Any increase greater than that provided herein requires the approval of the Presiding Judge. No salary exceeding the maximum of the higher pay will be approved.
2. For a position assigned to the same pay grade, the salary of the incumbent will remain the same as the employee's current rate.
3. For a position assigned to a lower pay grade, the salary of the incumbent may not exceed the maximum of the lower pay grade.

F. Special Duty Assignment

The pay rate of an employee approved for a special duty assignment due to absence or vacancy of a position with a higher grade classification shall be increased by an amount not to exceed ten percent (10%) of the current salary, or

that minimum of the higher pay grade, for performing the duties of that position. The assignment must be for a minimum of twenty (20) work days but not longer than one (1) year. The new pay rate cannot exceed the maximum of the higher pay grade.

G. Return from Special Duty

The pay rate of an employee who returns from a special duty assignment will be reduced to the same rate received prior to the special assignment and then will be increased by any annual or other rate increase which may have been approved during the special duty assignment which would have been applicable to the employee.

H. Performance/Step Increases

1. Nature

The Judicial Merit System incorporates an evaluation system that establishes pay grades for each job class, which incremental step increases based on performance and longevity. Step increases must be preceded by a performance evaluation to demonstrate adequate performance of duties and responsibilities. A step increase is not a right of an employee but is a salary adjustment related to job performance and length of service in a court department. Performance pay will not be granted to employees who do not meet established performance criteria. The Appointing Authority has exclusive authority to approve step increases.

2. Step Increase Eligibility

- a. Anniversary Date – Employees are eligible for a step increase each year on their anniversary date.
 - i. An employee's anniversary date is their original date of hire or promotion date (or the date assigned by administrative order, statute or ordinance).
 - ii. An employee whose increase was delayed due to a poor performance evaluation will have a new anniversary date that is the same as the date of the delayed step increase.
 - iii. An employee who fails a promotional probationary period and is returned to their original classification will have an anniversary date that is the same as they had prior to their promotion.

- iv. A position reclassification does not change an employee's anniversary date.
- b. An employee becomes eligible for consideration for a single step increase annually on their anniversary date.
- c. Step increases may be withheld for a period not to exceed one hundred eighty (180) days if an employee's performance evaluation indicates corrective action is needed, and/or a step increase is not meritoriously deserved.

I. Special Salary Advancement

If special and unusual circumstances, including meritorious performance warrant a special salary adjustment, an employee's Appointing Authority may propose a special step increase for a regular status employee by submitting a written justification to the Presiding Judge of the Superior Court via the Judicial Management Team.

1. Eligibility Requirements

To be eligible an employee must have:

- a. been regular status for at least two (2) years;
- b. at least three (3) years in a position with the same job title;
- c. had no disciplinary action within that time period; and,
- d. at least an average score of 3.0 on their last three (3) performance evaluations.

2. Approval

The Judicial Management Team will review the written justification and make a recommendation for action to the Presiding Judge. The Presiding Judge will make the decision for approval or denial of the request.

3. Guidelines

A special salary increase not to exceed ten percent (10%) of an employee's salary may be granted once in a twelve month period. Any adjustment that exceeds ten percent (10%) must be approved by the Presiding Judge. No adjustment that exceeds the maximum of the employee's pay grade will be approved.

VIII. Separation Pay

- A. In addition to any wages due at the time employees are separated from employment within the courts, they will be paid their regular hourly rate and all accrued annual leave and accrued compensatory time.
- B. Wages, accrued annual leave and accrued Compensatory Time will be paid to the heirs, beneficiaries or estate of a deceased employee.
- C. Regular status employees are eligible to receive payment for all accrued sick leave upon separation from employment with the courts or court department at the rate of three dollars (\$3.00) per hour of sick leave up to one thousand (1,000) hours of such unused leave. Reimbursement of accrued sick leave is conditioned upon an employee's continuous employment with a court or county department for five (5) years, and upon the condition that the employee provide the courts with ten (10) working days notice prior to separation from the courts. See also Rule 14.07 F. "Payment of Unused Sick Leave."